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| 10/717,561 | 11/21/2003 | Hiroshi Murayama | 245872US2SRD | 8460 |
| 22850 | 7590 | 05/17/2006 | EXAMINER | |
| OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314 | | | MORRISON, JAY A | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2168 | |

DATE MAILED: 05/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/717,561

Applicant(s)

MURAYAMA ET AL.

Examiner

Jay A. Morrison

Art Unit

2168

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>2/23/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1-20 are pending.

Specification

1. The disclosure is objected to because of the following informalities:
 - a. Page 2, line 1: 'root note' should be 'root node'.
 - b. Page 2, lines 12-13: 'Such database' should be 'Such a database'.
 - c. The specification is replete with grammatical errors and improper English.Appropriate correction is required.

The use of the trademark Microsoft Corporation has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

Claim Objections

2. Claims 7,9,19 are objected to because of the following informalities:

As per claim 7: 'resister' should be 'register'.

As per claim 9, page 32, line 25: 'URI' should be 'Universal Resource Identifier (URI)'

As per claim 19, page 35, line 5: 'URI' should be 'Universal Resource Identifier (URI)'

Appropriate correction is required.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

As per claims 1-10: The cited claims are directed to non-functional descriptive material, which is not a practical application and is therefore non-statutory. Functional descriptive material consists of data structures and computer programs which impart functionality when employed as a computer component. A data structure is defined by the New IEEE Standard Dictionary of Electrical and Electronics Terms 308 (5th ed. 1993) as follows: "a physical or logical relationship among data elements, designed to support specific data manipulation functions."

Claims 11-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The cited claims do not produce a tangible result.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the present classification" in lines 10-11. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination the Office will interpret "the present classification" as the upper classification, which is claimed in the alternative.

Claims 2-10 each recite the limitation "a database management apparatus" in line 1, respectively. There is insufficient antecedent basis for this limitation in each of the claims, respectively.

As per claim 8, the claim is generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors. For purposes of examination, the first part of the claim "wherein the registry registers a network address of the first user" will be examined since the Office cannot otherwise interpret the claim.

Claims 12-20 each recite the limitation "a database management method" in line 1, respectively. There is insufficient antecedent basis for this limitation in each of the claims, respectively.

Claim 11 recites the limitation "the present classification" in lines 10-11. There is insufficient antecedent basis for this limitation in the claim. For purposes of examination

the Office will interpret "the present classification" as the upper classification, which is claimed in the alternative.

As per claim 18, the claim is generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors. For purposes of examination, the first part of the claim "registering a network address of the first user" will be examined since the Office cannot otherwise interpret the claim.

Note: the art rejections are made given the best understanding of the Office given claims, which are difficult to interpret because of the abundance of assumptions the Office had to make due to their drafting.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-3,5-6,11-13,15-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Riley et al. ('Riley' hereinafter) (Patent Number 6,663,788).

As per claim 1, Riley teaches

“a setting unit configured to set a typical property” (generic information, column 6, lines 64-65) “set including at least one of selective properties, each of the selective properties being selected from the properties defined in the present classification, or an upper classification, and all of the selective properties being inherited by the lower classification” (column 6, line 31 through column 7, line 23);

“and a storage which stores the typical property set in association with the hierarchical classification structure” (column 6, lines 21-30).

As per claim 2, Riley teaches

“the typical property set is independent of another typical property set, and an identical property may belong to both of the typical property set and the another typical property set” (column 12, lines 11-40; note: ‘may’ denotes an optionally recited limitation in the claim).

As per claim 3, Riley teaches

“the setting unit further sets extrinsic information that contains a query condition for each property in the typical property set” (column 13, line 64 through column 14, line 14).

As per claim 5, Riley teaches

“a display having a screen on which the properties in the typical property set are displayed in a display order inherited by the lower classification together with the typical property set” (generic process, column 13, lines 38-48; figure 18).

As per claim 6, Riley teaches

“the display order is allowed to be re-ordered by the setting unit of lower classification” (column 14, lines 14-20).

As per claims 11-13,

These claims are rejected on grounds corresponding to the arguments given above for rejected claims 1-3 and are similarly rejected.

As per claims 15-16,

These claims are rejected on grounds corresponding to the arguments given above for rejected claims 5-6 and are similarly rejected.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2168

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Riley et al. ('Riley' hereinafter) (Patent Number 6,663,788) as applied to claim 1 above, and further in view of Bohrer et al. ('Bohrer' hereinafter) (Patent Number 6,106,569).

As per claim 4,

Riley does not explicitly indicate "the setting unit further sets negative inheritance in one of the properties in the typical property set so that the one of the properties fails to be inherited by the lower classification".

However, Bohrer discloses "the setting unit further sets negative inheritance in one of the properties in the typical property set so that the one of the properties fails to be inherited by the lower classification" (column 2, lines 55-64).

It would have been obvious to one of ordinary skill in the art to combine Riley and Bohrer because using the steps of "the setting unit further sets negative inheritance in one of the properties in the typical property set so that the one of the properties fails to be inherited by the lower classification" would have given those skilled in the art the tools to improve the invention by allowing an object to inherit part of its behavior from another object. This gives the user the advantage of not having to inherit all of the behavior or properties from another object.

As per claim 14,

This claim is rejected on grounds corresponding to the arguments given above for rejected claim 4 and is similarly rejected.

Claims 7-10,17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Riley et al. ('Riley' hereinafter) (Patent Number 6,663,788) as applied to claim 1 above, and further in view of Okumura et al. ('Okumura' hereinafter) (Patent Number 6,178,424).

As per claim 7,

Riley does not explicitly indicate "a registry to resister a first user and a second user, and wherein said storage stores a first typical property set to be used by the first user and stores a second typical property set to be used by the second user".

However, Okumura discloses "a registry to resister a first user and a second user, and wherein said storage stores a first typical property set to be used by the first user and stores a second typical property set to be used by the second user" (column 6, lines 25-35).

It would have been obvious to one of ordinary skill in the art to combine Riley and Okumura because using the steps of "a registry to resister a first user and a second user, and wherein said storage stores a first typical property set to be used by the first user and stores a second typical property set to be used by the second user" would have given those skilled in the art the tools to improve the invention by allowing ordinary users to have the correct information stored without much knowledge. This gives the user the advantage of not having to set every attribute or property.

As per claim 8,

Riley does not explicitly indicate “the registry registers a network address of the first user which a message indicative of registration of a new instance which satisfies a condition is informed of”.

However, Okumura discloses “the registry registers a network address of the first user which a message indicative of registration of a new instance which satisfies a condition is informed of” (location, column 5, lines 37-53).

It would have been obvious to one of ordinary skill in the art to combine Riley and Okumura because using the steps of “the registry registers a network address of the first user which a message indicative of registration of a new instance which satisfies a condition is informed of” would have given those skilled in the art the tools to improve the invention by tracking information in a distributed information system. This gives the user the advantage of having the ability to identify locations within the system.

As per claim 9,

Riley does not explicitly indicate “the registry registers the network address of the first user further informed of a URI of the new instance”.

However, Okumura discloses “the registry registers the network address of the first user further informed of a URI of the new instance” (column 5, lines 37-53).

It would have been obvious to one of ordinary skill in the art to combine Riley and Okumura because using the steps of “the registry registers the network address of the first user further informed of a URI of the new instance” would have given those skilled

in the art the tools to improve the invention by tracking information in a distributed information system. This gives the user the advantage of having the ability to identify locations within the system.

As per claim 10,

Riley does not explicitly indicate "the new instance is transmitted to the first user in response to a request based on the information of registration of the new instance".

However, Okumura discloses "the new instance is transmitted to the first user in response to a request based on the information of registration of the new instance" (column 6, lines 11-24).

It would have been obvious to one of ordinary skill in the art to combine Riley and Okumura because using the steps of "the new instance is transmitted to the first user in response to a request based on the information of registration of the new instance" would have given those skilled in the art the tools to improve the invention by tracking information in a distributed information system. This gives the user the advantage of having the ability to identify locations within the system.

As per claims 17-20,

These claims are rejected on grounds corresponding to the arguments given above for rejected claims 7-10 and are similarly rejected.

Conclusion

The prior art made of record, listed on form PTO-892, and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jay A. Morrison whose telephone number is (571) 272-7112. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Vo can be reached on (571) 272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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